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राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 19 फरवरी, 1975/30 माघ, 1896

GOVERNMENT OF HIMACHAL PRADESH

VIDHAN SABHA SECRETARIAT

NOTIFICATIONS

Simla-4, the 18th February, 1975

No. 1-19/75-VS.—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business, Himachal Pradesh Legislative Assembly, the

Himachal Pradesh Official Language Bill, 1975 (Bill No. 7 of 1975) after having being introduced in the Assembly on the 18th February, 1975, is hereby published in the Gazette.

SHAMSHER SINGH,
Secretary.

Bill No. 7 of 1975.

THE HIMACHAL PRADESH OFFICIAL LANGUAGE BILL, 1975

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

to provide for the adoption of Hindi as the language to be used for all or any of the official purposes of the State of Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Official Language Act, 1975.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the State of Himachal Pradesh.

(3) It shall be deemed to have come into force with effect from the 1st January, 1975.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “Hindi” means Hindi in Devanagari script;

(b) “State Government” means the Government of Himachal Pradesh.

3. The official language of the State of Himachal Pradesh shall be Hindi.

Hindi to be
official lan-
guage of
the State.

4. The State Government may, from time to time by notification, direct that Hindi shall be used for such official purposes of the State and from such date as may be specified in the notification.

Govern-
ment's
power to
notify the
official pur-
poses for
which Hindi
shall be
used.

5. On and from such date as the State Government may, by notification, appoint in this behalf, the language to be used in,—

Language
to be used
in the Bills
etc.

(a) all Bills to be introduced, or amendments thereto to be moved in the House of the Legislature of the State;

(b) all Acts passed by the Legislature of the State;

(c) all Ordinances promulgated by the Governor under Article 213 of the Constitution; and

(d) all Orders, Rules, Regulations and Bye-laws issued by the State Government under the Constitution or under any law for the time being in force in the State;

shall be Hindi:

Provided that the State Government may appoint different dates in respect of any of the purposes referred to in clauses (a) to (d) above.

Continuation of use of English in State Legislature.

6. Until the State Government otherwise directs by notification under section 4, English may continue to be used, in addition to the official language of the State for the transaction of business in the Legislature of the State.

Right of a person to submit representation in any of the languages used in the State.

7. Nothing in this Act shall be deemed to debar any person to submit a representation for the redress of any grievance to any officer or authority of the State in any other language, used in the State.

Repeal and saving.

8. (1) The Punjab Official Language Act, 1960 in its application to the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966, and the Himachal Pradesh Languages (Bills and Acts) Act, 1952 as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966, are hereby repealed.

28 of 1960
31 of 1966
2 of 1953

(2) The repeal by this Act shall not effect anything done or any action taken in the exercise of any power conferred by or under the repealed Acts or any events which have been caused from the operation of the repealed Acts.

STATEMENT OF OBJECTS AND REASONS

Article 345 and clause (3) of Article 348 of the Constitution of India provide *inter alia* that Legislature of a State may, by law, adopt Hindi in Devanagari script as the language to be used for official purposes of the State. Many of the Hindi speaking States have adopted Hindi as the language to be used for their official purposes through legislation under the aforesaid provisions. In order to secure the emotional integration with the other States and also to facilitate the people of this State to have the better understanding of the programmes and policies of the Government, it has been decided to declare Hindi in Devanagari script as the official language for the purposes of the State.

This Bill seeks to achieve the aforesaid purpose.

SIMLA:
The 18th February, 1975.

LAL CHAND PRARTHII,
Minister-in-charge.

FINANCIAL MEMORANDUM

On account of financial stringency and administrative difficulties, it may not be possible to switch over to the use of Hindi for all purposes enumerated in clause 5 of the Bill immediately. Keeping in view the availability of the finances and of the trained personnel, the use of Hindi for various purposes will be enforced in stages.

2. In the first phase, it is proposed to provide at least one Hindi typewriter along with trained stenographer/typist to each of the departments at its headquarter. It will not be necessary to employ additional hands for this purpose. Existing staff will be provided training through the instructors already in position in the Department of Languages.

3. Steps would be taken during this aforesaid first stage for translation of the existing legislation into Hindi. Three translators are already in position in the Department.

4. Arrangements will also be made for printing of existing and fresh legislation in Hindi to the extent they are translated by the Language Department.

5. The total financial implications in the first stage to be implemented in the year 1975-76 would be as under:—

	Rs.
(i) purchase of 50 Hindi typewriters (Rs. 3,000 × 50) ..	1,50,000
(ii) contingent expenditure on training of stenographers, typists etc. ..	20,000
(iii) printing of Acts and Bills in Hindi ..	30,000
Total ..	<u>2,00,000</u>

6. The total recurring annual expenditure for future is estimated at Rs. 1 lac.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 4 and 5 of the Bill empower the State Government to specify the purposes and the dates for the use of Hindi as official language. This delegation is essential and normal in character.

RECOMMENDATIONS OF THE GOVERNOR UNDER
ARTICLE 207 OF THE CONSTITUTION

[File No. (1) 2-LWP/75 of the Language and Cultural Affairs
Department.]

The Governor, Himachal Pradesh, having been informed of the subject matter of the Himachal Pradesh Official Language Bill, 1975 recommends, under Article 207 of the Constitution of India, the introduction and consideration of the Bill in the Legislative Assembly.

Simla-4, the 18th February, 1975

No. 1-18/75-VS.—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business, Himachal Pradesh Legislative Assembly, the Himachal Pradesh Legislative Assembly (Allowances of Members) (Amendment) Bill, 1975 (Bill No. 8 of 1975) after having being introduced in the Assembly on the 18th February, 1975, is hereby published in the Gazette.

SHAMSHER SINGH,
Secretary.

Bill No. 8 of 1975.

**THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY
(ALLOWANCES OF MEMBERS) (AMENDMENT)
BILL, 1975**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

further to amend the Himachal Pradesh Legislative Assembly (Allowances of Members) Act, 1971 (Act No. 8 of 1971).

BE it enacted by the Legislative Assembly of the Himachal Pradesh in the Twenty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Legislative Assembly (Allowances of Members) (Amendment) Act, 1975.

Short title and commencement.

(2) It shall come into force at once.

2. In sub-section (1) of section 4 of the Himachal Pradesh Legislative Assembly (Allowances of Members) Act, 1971 (hereinafter called the principal Act) for the word “thirty-five”, the word “forty-five”, shall be substituted.

Amendment of section-4.

3. In section 5 of the principal Act, for the word “fifty”, the words “one hundred” shall be substituted.

Amendment of section 5.

STATEMENT OF OBJECTS AND REASONS

Under section 4(1) of the Himachal Pradesh Legislative Assembly (Allowances of Members) Act, 1971, a Member of the Legislative Assembly is paid a halting allowance at the rate of thirty-five rupees per day for each day of attendance at a meeting of the Assembly or committee or in respect of journeys undertaken under the orders of the Speaker for any other business anywhere connected with his duties.

Further under section 5 of the aforesaid Act, the expenditure on local and outside telephone calls incurred by a Member in any month is reimbursed by the Government subject to a maximum of fifty rupees.

While framing Acts with regards to the Salaries and Allowances of the Ministers/Speaker/Deputy Speaker/M.L.A.'s of this State, it was decided that salaries and allowances given in Punjab may be followed generally. Accordingly, the Ministers/Speaker/Deputy Speaker/M.L.A.'s Salaries and Allowances Acts and Rules thereunder were framed on the basis of the Punjab pattern.

Recently keeping in view the rise in the cost of living, the Punjab Government have increased the rates of halting allowance from Rs. 35 to Rs. 45 per day and also the limit for the reimbursement of expenditure on local and outside telephone calls from Rs. 50 to Rs. 100 per month. On the same analogy the amenities and allowances of the Members of the Legislative Assembly needs to be increased and hence this Bill seeks to achieve the aforesaid objects.

SIMLA:
The 18th February, 1975.

Y. S. PARMAR,
Chief Minister.

FINANCIAL MEMORANDUM

The annual extra recurring expenditure on account of raising the halting allowance from Rs. 35 to Rs. 45 will be Rs. 83,800 approximately and that on raising the limit of reimbursement of telephone charges annually will be to the tune of Rs. 33,600 approximately. No arrears are, however, to be paid.

MEMORANDUM ON DELEGATED LEGISLATION

Nil

RECOMMENDATIONS OF THE GOVERNOR UNDER ARTICLE 207 OF THE CONSTITUTION

[General Administration (C) Department File No. 2-1/72-GAC]

The Governor, Himachal Pradesh, having been informed of the subject matter of the Himachal Pradesh Legislative Assembly (Allowances of Members) (Amendment) Bill, 1975, recommends under Article 207 of the Constitution, the introduction and consideration of the Bill in the Legislative Assembly.

Simla-4, the 19th February, 1975

No. 1-20/75-VS.—In pursuance to rule 135 of the Rules of Procedure and Conduct of Business, Himachal Pradesh Legislative Assembly, the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's

Salaries (Amendment) Bill, 1975 (Bill No. 9 of 1975) after having been introduced in the Assembly on the 19th February, 1975, is hereby published in the Gazette.

SHAMSHER SINGH,
Secretary.

Bill No. 9 of 1975.

**THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY
SPEAKER'S AND DEPUTY SPEAKER'S SALARIES
(AMENDMENT) BILL, 1975**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

to amend the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1971 (Act No. 4 of 1971).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Act, 1975.

Short title and commencement.

(2) It shall come into force at once.

2. In section 4 of the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1971, hereinafter called the principal Act, for the words "eight hundred", the words "one thousand" shall be substituted.

Amendment of section-4.

3. After section 10 of the principal Act, the following new section 10-A along with its heading shall be inserted, namely:—

Insertion of section 10-A.

"10-A.—*Free transit by railway.*—(1) The Deputy Speaker shall be provided with two free non-transferable first class passes which shall entitle him and his wife or any other person accompanying him to look after and assist him to travel at any time by any railway in India:

Provided that if the journey is performed by him by air, he shall be paid an amount equal to one first class fare for each such journey:

Provided further that he shall not be entitled to perform more than two return journeys by air in any financial year:

Provided further that the aggregate distance so travelled under either or both the passes or by air in any financial year does not exceed sixteen thousand kilometres.

(2) The free passes issued to the Deputy Speaker under sub-section (1) shall be valid for the term of his office and on the expiration of such term these shall be surrendered by him to the Secretary of the Himachal Pradesh Legislative Assembly.

(3) Nothing in this section shall be construed as disentitling the Deputy Speaker to any travelling allowance to which he is otherwise entitled under the provisions of this Act or rules made thereunder."

STATEMENT OF OBJECTS AND REASONS

Under section 4 of the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1971, the Deputy Speaker is entitled to a salary at the rate of eight hundred rupees per mensem in addition to other amenities. On the other hand the members of the council of Ministers as also the Speaker are entitled to a salary of Rs. 1,500 each in addition to other amenities. The disparity in the salaries of the Deputy Speaker on the one hand and of the Ministers and Speaker on the other hand is considered unreasonably high. With a view to reduce the disparity, the salary of the Deputy Speaker needs to be enhanced to Rs. 1,000 per month. Section 6 of the Himachal Pradesh Legislative Assembly (Allowances of Members) Act, 1971 (Act No. 8 of 1971) makes the provisions for the facility of free transit by railway to the members of the Legislative Assembly of Himachal Pradesh. But by virtue of the provisions contained in clause (c) of section 2 of Act No. 8 of 1971, the expression "member" does not include the Deputy Speaker for the purposes of the aforesaid Act. Thus in order to provide the same facility of free transit by railway to the Deputy Speaker, it is necessary to insert new section in the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Act, 1971 (Act No. 4 of 1971).

This Bill seeks to achieve the aforesaid purposes.

SIMLA:
The 19th February, 1975.

Y. S. PARMAR,
Chief Minister.

FINANCIAL MEMORANDUM

The annual extra recurring expenditure on account of the enhancement in the salary of the Deputy Speaker from Rs. 800 per month to Rs. 1,000 per month and for providing the facility of free railway passes to the Deputy Speaker shall be Rs. 5,700.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Nil

RECOMMENDATIONS OF THE GOVERNOR UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

[The General Administration Department File No. 2-2/75-GAC]

The Governor of Himachal Pradesh, having been informed of the subject matter of the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Bill, 1975, recommends under Article 207 of the Constitution of India, the introduction and consideration of the Bill in the Legislative Assembly.